

Spansel, Charles W Jr & Janet

24-2208-955

Bates Labeled Copy

CLOSED DATE _____
<input type="checkbox"/> GROUP 1 (INJURY)
<input type="checkbox"/> GROUP 2 (PROPERTY)
<input type="checkbox"/> GROUP 3 (OTHER)
<input type="checkbox"/> CAT
<input type="checkbox"/> WORK COMP
<input type="checkbox"/> FLOOD

CR _____
TM _____

24-z208 955 (H0)
Spansel 100001



SPANSEL, CHARLES W JR & JANET
109 SANDY HOOK DR
PASS CHRIS MS 395712425

24-Z208-955

24-z208-955 (H0)
Spanse 100002

CR	_____
TM	_____

CLOSED DATE	10/20/08
<input type="checkbox"/> GROUP 1 (MILITARY)	
<input type="checkbox"/> GROUP 2 (PROPERTY)	
<input type="checkbox"/> GROUP 3 (OTHER)	
<input checked="" type="checkbox"/> CATASTROPHE	PC
<input type="checkbox"/> WORK COMP	
<input type="checkbox"/> FLOOD	

BX0141-002225

Case 1:08-cv-01516-LG-RHW Document 35-6 Filed 09/15/2009 Page 47 of 66

Submitted To: State Farm

To: S&S Claims Service, Inc

Invoice

BX0141-002226

PO Box 35343

Charlotte, NC 28235

(704) 947-7722 Fax (704) 947-7733

Tax ID #

27398

CAT Code:

A2

Date:

CAT Location:

Biloxi

Adjuster #/Name:

Avery M. AAR

Claim #:

242-208-955

Insured Name:

Spansehl, Charles

Policy #:

21-60-3564-4

Risk Location:

Pass Christian, MS

Billing Type: Interim ☐ Final ☐ Supplemental ☐

Gross Loss:

Base Fee:	\$ 170	2 Story (includes double pulls)	\$
Coverage A Exterior	\$	More than 50 Squares	\$
Coverage A Framing	\$	Wood/Slate/Tile/Concrete Roof	\$
Coverage A Interior	\$	Phone Expense	\$ 2
Coverage B	\$	Add'l Fecs/Expenses:	\$
ALE	\$	Subtotal	\$ 172
Out Buildings <input type="checkbox"/> x \$	\$	State Sales & Use Tax, if any	\$
Steep Charge (7/12 pitch or greater)	\$	TOTAL	\$ 172

WHITE: STATE FARM

GREEN: STATE FARM

YELLOW: REMITTANCE COPY

PINK: S&S HOME OFFICE

GOLD: ADJUSTER

10-1-05

24-2208-955 (H0)
Spansehl 100003

State Farm Insurance Companies



STATE FARM INSURANCE COMPANY
1909 East Pass Rd., C-10
Gulfport, MS 39507

October 24, 2005

CHARLES SPANSEL
JANET SPANSEL
900 DEAN LEE DR.
BATON ROUGE, LA 70820

F

RE: Claim Number: 24-Z208-955
Policy Number: 24-CD-0411-2
Property at: 109 SANDY HOOK DR., PASS CHRISTIAN, MS
Date of Loss: August 29, 2005

Dear Mr. and Mrs. Spansel:

Thank you for discussing with us the damages to your home.

Based on the results of our discussion, site inspection, and investigation, it was determined the damage to your house was caused by flood, surface water, waves and/or tidal water

Damage resulting from this cause of loss is not covered by your policy. Please refer to the policy provisions:

Section I – Losses not insured

2. We do not insure under any coverage for any loss which would not have occurred in the absence of one or more of the following excluded events. We do not insure for such loss regardless of : (a) the cause of the excluded event; or (b) other causes of the loss; or (c) whether other causes acted concurrently or in any sequence with the excluded event to produce the loss; or (d) whether the event occurs suddenly or gradually, involves isolated or widespread damage, arises from natural or external forces, or occurs as a result of any combination of these:
 - a. **Ordinance or Law**, meaning enforcement of any ordinance or law regulating the construction, repair or demolition of a building or other structure.
 - c. **Water Damage**, meaning:
 - (1) flood, surface water, waves, tidal water, tsunami, seiche, overflow of a body of water, or spray from any of these, all whether driven by wind or not;
 - (2) water or sewage from outside the residence premises plumbing system that enters through sewers or drains, or water which enters into and overflows

24-Z208-955 (H0)
Spansel 100040

HOME OFFICE: BLOOMINGTON, ILLINOIS 61710-1001

BX0141-002263

from within a sump pump, sump pump well or any other system designed to remove subsurface water which is drained from the foundation area; or

- (3) water below the surface of the ground, including water which exerts pressure on, or seeps or leaks through a building, sidewalk, driveway, foundation, swimming pool or other structure.

However, we do insure for any direct loss by fire, explosion or theft resulting from water damage, provided the resulting loss is itself a Loss Insured.

As noted in the policy language above, flood, surface water, waves, et. al., are specifically excluded from coverage, whether driven by wind or not. We will be unable to assist you with any portion of your loss damaged as a result of these perils.

State Farm Insurance does not intend to waive any policy defenses, in addition to those stated above, and reserves its right to assert additional policy defenses at any time.

If you have additional information regarding your claim which has not been previously considered, or if you desire any additional explanation regarding this matter, please contact Mr. Avery Murrah, your claim representative, at 866-787-8676 ext 6253.

Sincerely,

Paula Roberts
Team Manager
228-897-4461
State Farm Fire and Casualty Company

cc: Agent – Steve Saucier - # 1344-24

24-z208-955 (H0)
Spansel 100041

BX0141-002264

**Exponent Failure Analysis
Please cancel this assignment.**

**Claim Number: 24-Z208-955
Insured: Charles Spansel**

Thanks

Catastrophe Team Manager

**David Haddock
10/19/05**

**If you have already inspected this loss, do
not write the report. Send your
investigation material with your bill.**

24-z208-955 (H0)
Spansel 100042

10 19 05 522

BX0141-002265

REQUEST FOR ENGINEER

Date of Request 10/03/05
 Claim Rep Avery Murrah
 Phone Number 866-787-8676 x 6253
 Fax Number 228-606-4695

Claim Number 24z208955
 Policy Number 24-60-3564-4
 Policy Type Homeowners

Insured Charles Spansel
 Contact Person Charles Spansel
 Home Number 505-450-7312
 Work Number 504-450-7312
 Other
 Street Address 109 Sandy Hook Dr.
 City Pass Christian
 State Ms
 Zip Code 39571

Specific Reason(s) For Request:
 Item(s) to be Inspected

- 1 Please determine cause of loss.
- 2
- 3
- 4

Team Manager
 Phone Number

Roberts, by M. Bergstrom
 245 503-0998

Approved

(YES)

NO

Date Approved
 Date Referred

10-5-05

Firm Assigned

Structure Exponent

Contact Person

Phone Number

Fax Number

Date Inspected

Est. Inspection Date

Date Report Rec'd

Estimated Cost

We request an inspection and report to determine the cause(s) of damage to the building on the above referenced claim. We would like your evaluation of the structure to include an analysis of weather data and how the weather was involved in the cause of loss. Sources may include, but are not limited to reports from any or all of the following:

1. Insured's statements and eyewitnesses
2. The National Weather Service
3. FEMA / NFIP
4. Coast Guard
5. Local weather information
6. NASA
7. NOAA

Please include any factual information available on the surrounding properties to support your findings. We appreciate your factual analysis.

101005807

24-z208-955 (H0)
 Spansel 100043

BX0141-002266

State Farm Insurance Companies®



State Farm Catastrophe Office
1909 East Pass Rd., C-10
Gulfport, MS 39507

October 6, 2005

MR. CHARLES SPANSEL
900 DEAN LEE DR., UNIT 406
BATON ROUGE, LA 70820

RE: Claim Number: 24-Z2208-955
Policy Number: 24-CD-0411-2
Type of Policy: Homeowners
Date of Loss: August 29, 2005

Dear Mr. Spansel:

This follows our conversation regarding your property where we discussed the damage to your second home residence. The damage to your property may have been caused by wind and water. We are continuing to investigate that portion of your loss caused by wind.

Based on our phone conversation and other facts, our investigation showed that some of your property was damaged as a result of storm surge, wave wash, and flood. Unfortunately that damage to your property is not covered under the policy identified above.

Please see the following relevant policy language:

"SECTION I - LOSSES NOT INSURED

2. We do not insure under any coverage for any loss which would not have occurred in the absence of one or more of the following excluded events. We do not insure for such loss regardless of: (a) the cause of the excluded event; or (b) other causes of the loss; or (c) whether other causes acted concurrently or in any sequence with the excluded event to produce the loss; or (d) whether the event occurs suddenly or gradually, involves isolated or widespread damage, arises from natural or external forces, or occurs as a result of any combination of these:

24-z208-955 (H0)
Spansel 100044

BX0141-002267

Page 2
October 6, 2005

- a. **Ordinance or Law**, meaning enforcement of any ordinance or law regulating the construction, repair or demolition of a building or other structure.
- b. **Earth Movement**, meaning the sinking, rising, shifting, expanding or contracting of earth, all whether combined with water or not. Earth movement includes but is not limited to earthquake, landslide, mudflow, mudslide, sinkhole, subsidence, erosion or movement resulting from improper compaction, site selection or any other external forces. Earth movement also includes volcanic explosion or lava flow, except as specifically provided in **SECTION I - ADDITIONAL COVERAGES, Volcanic Action**.

However, we do insure for any direct loss by fire resulting from earth movement, provided the resulting fire loss is itself a Loss Insured.

- c. **Water Damage**, meaning:
 - (1) flood, surface water, waves, tidal water, tsunami, seiche, overflow of a body of water, or spray from any of these, all whether driven by wind or not;
 - (2) water or sewage from outside the residence premises plumbing system that enters through sewers or drains, or water which enters into and overflows from within a sump pump, sump pump well or any other system designed to remove subsurface water which is drained from the foundation area; or
 - (3) water below the surface of the ground, including water which exerts pressure on, or seeps or leaks through a building, sidewalk, driveway, foundation, swimming pool or other structure.

However, we do insure for any direct loss by fire, explosion or theft resulting from water damage, provided the resulting loss is itself a Loss Insured."

State Farm Insurance® does not intend to waive any policy defenses, in addition to those quoted above, and reserves its right to assert additional policy defenses at any time.

24-z208-955 (H0)
Spanse1 100045

BXD141-002268

Page 3
October 6, 2005

If you have additional information you would like us to consider you have not previously submitted, or if you desire any explanation of this letter, please contact me.

Sincerely,

Avery Murrah
Claim Representative
866 787 8676 ext 6253
State Farm Fire and Casualty Company

24-z208-955 (HQ)
Spansel 100046

BX0141-002269

FIRE

claim number

24-2208-955

ACTIVITY LOG

date	time	entered by	office	region	no
10-22-05	10:57 AM	Roberts, Paula	ZCATGULF	Al-Miss	14
Please advise. Where are photos and logs of your investigation for this claim ? We need proximity to water, etc. per investigation of wind and water protocols.					
10-21-05	03:20 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	13
Discussed with Insured that this was a 2nd home and therefore not eligible for PU benefits.					
10-19-05	06:09 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	12
Sent Insured a letter denying flood for HO based upon flood being cause of loss and not an insured event. File ready to close without payment.					
10-06-05	01:03 PM	Bergstrom, Mick	ZCATBILO	Al-Miss	10
Reviewed file. OK to pay interim fee bill and return to rep pending engineer report.					
10-05-05	11:44 AM	Bergstrom, Mick	ZCATBILO	Al-Miss	9
Forwarded engineer request.					
10-03-05	07:51 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	8
Set up file for Homeowner claim under investigation and am waiting to assign it to proper party.					
09-28-05	12:05 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	7
Talked to Ms. Spansel who is now in Baton Rouge. New phone number is 504-450-7312/ 22-615-7507. Mailing address is 900 Dean Lee Dr., Unit 406, Baton Rouge, La 70820. All is left is slab and side piece of porch. Ms. Spansel asked that I interview husband for detail on house. Called him and left a message to call. I explained ALE to Ms. Spansel and she will start keeping records. I will discuss advance with Mr. S and explain when it stops after the investigation. Tried to phone Insured at 8:15 and 8:30 PM. Finally was able to leave a message that I called on 504-450-7312.					
09-17-05	03:30 PM	Henderson, Joe	CHARLOTT	Eastern	6
Called all #'s unable to reach					

24-2208-955 (HO)
Spansel 100100

date: 12-29-08

page: 11

FIRE

claim number

24-Z208-955

ACTIVITY LOG

date	time	entered by	office	region	no
09-17-05	12:09 PM	Carter, Emily	FIRECATQ	GA-SC	5
Tried contacting insured at both numbers listed and could not get through.					
09-07-05	12:19 PM	Hare, Lisa	ZCATMETA	Mid-So	4
Issued cash advance under flood policy claim 24-Z208-954, \$2500.					
09-05-05	01:51 PM	Hicks, Melissa	FIRECATQ	Al-Miss	2
A Claim Rep Review message has been printed for * Unassigned *					
Q0030 Review new policy information. A change was made to the policy region, policy number, or date of loss.					

SYSTEM GENERATED LOG

date	time	office	region	no
total system log entries: 4				
02-12-06	05:44 AM	ZCATGULF	Al-Miss	18
Referred to ZCATGULF Al-Miss 09-800				
Referral Type Cons payment sys ref				
10-09-05	07:43 AM	ZCATGULF	Al-Miss	11
Setup Print generated manually on printer L047 by Karen Henderson				
09-05-05	03:46 PM	FIRECATQ	Al-Miss	3
Moved to ZCATBILO Al-Miss 09-810				
09-05-05	12:06 PM	FIRECATQ	Al-Miss	1
Initial agent acknowledgment sent for reporting agent				
24-1334 SAUCIER				

24-z208-955 (H0)
Spansel 100101

FIRE

claim number

24-2208-955

ACTIVITY LOG

date	time	entered by	office	region	no
06-08-07	02:43 PM	Fair, Kristie	CORPKAT	Al-Miss	20

Sent message to have database mailing address updated and resolution form OVERNIGHTED to the correct mailing address of:
74 Verde St Kenner, LA 70065

date	time	entered by	office	region	no
06-08-07	02:23 PM	Toney, Darron	CORPKAT	Al-Miss	19

MISSISSIPPI REEVALUATION TEAM HANDLING CLAIM PER THE MISSISSIPPI DEPARTMENT OF INSURANCE AGREEMENT.

Called insured-spk to charles who advised that has not rec'd res.form.
Forw. note to have address changed to the following:
74 Verde St
Kenner, LA 70065

Insured advised that has not retained council, and aftr cr explained re-eval.prcoess insured advised that he will be completing res.form and forw.back to s.f. Provided insured with contact info. and insured appreciated same.

date	time	entered by	office	region	no
10-26-05	05:22 PM	Beadle, Jamie	ZCATGULF	Al-Miss	17

Mgmt Rev - home completely destroyed by storm surge. Close proximity to Gulf as shown in photos. Flood denial in file, sent same.
OK TO CWP

date	time	entered by	office	region	no
10-22-05	07:27 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	16

This file is ready to close.

date	time	entered by	office	region	no
10-22-05	07:27 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	15

I inspected the home this date at 9:45 AM and took pictures for the file. I observed a risk that had been washed away, except for a few pieces of cinder block wall. In this area limbs and debris were hung in branches 25 ft above grade. There was a GE washer Md no wjsr2070b9ww / ser # sd180076g and a GE dryer mo no. dvl23eb1ww / sr # sd723187w. All other appliances were washed away. This ele home was built 7'6" above grade. It was 100 ft from the water. Due to the lack of recognizable debris, I could not tell much about construction other than it has cinder block walls around a portion of the elevated area. However, based upon the investigation of the other risks I have reviewed in the area, there is no question that it was washed away by water reaching at least 25 feet above grade. I have talked with the Insureds and they understand the position SF is taking and why.

FIRE
claim number
24-2208-955

=====

ACTIVITY LOG

=====

date	time	entered by	office	region	no
10-22-05	10:57 AM	Roberts, Paula	ZCATGULF	Al-Miss	14

Please advise. Where are photos and logs of your investigation for this claim?
? We need proximity to water, etc. per investigation of wind and water protocols.

date	time	entered by	office	region	no
10-21-05	03:20 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	13

Discussed with Insured that this was a 2nd home and therefore not eligible for PU benefits.

date	time	entered by	office	region	no
10-19-05	06:09 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	12

Sent Insured a letter denying flood for HO based upon flood being cause of loss and not an insured event. File ready to close without payment.

date	time	entered by	office	region	no
10-06-05	01:03 PM	Bergstrom, Mick	ZCATBILO	Al-Miss	10

Reviewed file. OK to pay interim fee bill and return to rep pending engineer report.

date	time	entered by	office	region	no
10-05-05	11:44 AM	Bergstrom, Mick	ZCATBILO	Al-Miss	9

Forwarded engineer request.

date	time	entered by	office	region	no
10-03-05	07:51 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	8

Set up file for Homeowner claim under investigation and am waiting to assign it to proper party.

date	time	entered by	office	region	no
09-28-05	12:05 PM	Murrah, Avery x625	ZCATGULF	Al-Miss	7

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date	time	entered by	office	region	no
09-17-05	03:30 PM	Henderson, Joe	CHARLOTT	Eastern	6

Called all #'s unable to reach

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24-2208-955 (HO)
Spansel 100121

date: 12-29-08

page: 10

FIRE

claim number

24-Z208-955

ACTIVITY LOG

date	time	entered by	office	region	no
09-17-05	12:09 PM	Carter, Emily	FIRECATQ	GA-SC	5

Tried contacting insured at both numbers listed and could not get through.

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09-07-05	12:19 PM	Hare, Lisa	ZCATMETA	Mid-So	4

Issued cash advance under flood policy claim 24-Z208-954, \$2500.

date	time	entered by	office	region	no
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total system log entries: 4

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Referred to ZCATGULF Al-Miss 09-800
Referral Type Cons payment sys ref

date	time	office	region	no
10-09-05	07:43 AM	ZCATGULF	Al-Miss	11

Setup Print generated manually on printer L047
by Karen Henderson

date	time	office	region	no
09-05-05	03:46 PM	FIRECATQ	Al-Miss	3

Moved to ZCATBILO Al-Miss 09-810

date	time	office	region	no
09-05-05	12:06 PM	FIRECATQ	Al-Miss	1

Initial agent acknowledgment sent for reporting agent
24-1334 SAUCIER

FACTS

HURRICANE/FLOOD

ROOF INFORMATION

roof type	roof cov code	roof install date	hail resistive class
Composition Shingle			

POLICY NOTES

date: 03-29-05
AUTOS IN LA 0188638 (22)

24-z208-955 (H0)
Spansel 100122